

Subpart A—General Provisions**§ 1917.1 Scope and applicability.**

(a) The regulations of this part apply to employment within a marine terminal as defined in § 1917.2, including the loading, unloading, movement or other handling of cargo, ship's stores or gear within the terminal or into or out of any land carrier, holding or consolidation area, any other activity within and associated with the overall operation and functions of the terminal, such as the use and routine maintenance of facilities and equipment. All cargo transfer accomplished with the use of shore-based material handling devices shall be regulated by this part.

(1) The provisions of this part 1917 do not apply to the following:

(i) Facilities used solely for the bulk storage, handling and transfer of flammable, non-flammable and combustible liquids and gases.

(ii) Facilities subject to the regulations of the Office of Pipeline Safety Regulation of the Materials Transportation Bureau, Department of Transportation, to the extent such regulations apply.

(iii) Fully automated bulk coal handling facilities contiguous to electrical power generating plants.

(2) Part 1910 of this chapter does not apply to marine terminals except for the following provisions:

(i) *Abrasive blasting*. Subpart G, § 1910.94(a);

(ii) *Access to employee exposure and medical records*. Subpart Z, § 1910.1020;

(iii) *Commercial diving operations*. Subpart T of part 1910;

(iv) *Electrical*. Subpart S of part 1910;

(v) *Grain handling facilities*. Subpart R, § 1910.272;

(vi) *Hazard communication*. Subpart Z, § 1910.1200;

(vii) *Ionizing radiation*. Subpart Z, § 1910.1096;

(viii) *Noise*. Subpart G, § 1910.95;

(ix) *Nonionizing radiation*. Subpart G, § 1910.97;

(x) *Respiratory protection*. Subpart I, § 1910.134;

(xi) *Safety requirements for scaffolding*. Subpart D, § 1910.28;

(xii) *Servicing multi-piece and single piece rim wheels*. Subpart N, § 1910.177;

(xiii) *Toxic and hazardous substances*. Subpart Z applies to marine cargo handling activities except for the following:

(A) When a substance or cargo is contained within a sealed, intact means of packaging or containment complying with Department of Transportation or International Maritime Organization requirements;¹

(B) Bloodborne pathogens, § 1910.1030;

(C) Carbon monoxide, § 1910.1000 (See § 1917.24(a)); and

(D) Hydrogen sulfide, § 1910.1000 (See § 1917.73(a)(2)); and

(E) Hexavalent chromium § 1910.1026 (See § 1915.1026)

(xiv) Powered industrial truck operator training, Subpart N, § 1910.178(1).

NOTE TO PARAGRAPH (a)(2)(xiv): The compliance dates of December 1, 1999 set forth in 29 CFR 1910.178(1)(7) are stayed until March 1, 2000 for Marine Terminals.

(b) Section 1915.1026 applies to any occupational exposures to hexavalent chromium in workplaces covered by this Part.

[48 FR 30909, July 5, 1983, as amended at 52 FR 36026, Sept. 25, 1987; 52 FR 49624, Dec. 31, 1987; 62 FR 40196, July 25, 1997; 63 FR 66274, Dec. 1, 1998; 64 FR 46847, Aug. 27, 1999; 65 FR 40938, June 30, 2000; 71 FR 10381, Feb. 28, 2006]

§ 1917.2 Definitions.

Apron means that open portion of a marine terminal immediately adjacent to a vessel berth and used in the direct transfer of cargo between the terminal and vessel.

Authorized, in reference to an employee's assignment, means selected by the employer for that purpose.

Cargo door (transit shed door) means a door designed to permit transfer of cargo to and from a marine terminal structure.

Cargo packaging means any method of containment for shipment, including cases, cartons, crates and sacks, but excluding large units such as intermodal containers, vans or similar devices.

¹The International Maritime Organization publishes the International Maritime Dangerous Goods Code to aid compliance with the international legal requirements of the International Convention for the Safety of Life at Sea, 1960.